

OFFICE OF THE  
**FEDERAL DEFENDER**

**District of Minnesota**

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May 15, 2013

Honorable Jeanne J. Graham  
United States Magistrate Judge  
342 U.S. Courthouse  
316 North Robert Street  
St. Paul, MN 55101

Re: United States v. Buford Rogers  
Criminal No. 13-MJ-309

Dear Magistrate Judge Graham:

I write concerning the preliminary and detention proceedings in this case. At last week's hearing, Mr. Rogers waived his rights to preliminary and detention hearings, seeking additional time to investigate the facts relating to the charges, his background and circumstances, and the impact these might have on the questions of his detention or appropriate conditions for his release. The Court continued the hearing. Our investigation continues, but we are not yet prepared to proceed, and will not be at the time of the rescheduled hearing.

Our request and Mr. Rogers' in-court waiver allowed his detention until such time as new evidence supporting his release is developed and presented by his defense. In light of the record in this case and the waiver entered in Court last week, I ask that the upcoming hearing be taken off of the calendar, and that further proceedings on this issue take place when we seek leave of the court to reopen the issue based on newly discovered evidence. I do not understand the prosecution to have any objection to proceeding in this manner.

Please let me know if you wish additional information or input.

Sincerely,  
*s/Andrew H. Mohring*

ANDREW H. MOHRING  
First Assistant Federal Defender

AHM/ahm

cc: Buford Rogers  
Andrew Winter, AUSA  
Charles Kovats, AUSA